- S.R. 135 By Edwards: Extending congratulations to Mr. and Mrs. Parke D. Evers on their 50th wedding anniversary.
- S.R. 136 By Edwards: Extending congratulations to Mr. and Mrs. N. W. Barnhill of Fort Worth on their 50th wedding anniversary.
- S.R. 137 By Edwards: Extending congratulations to Mr. and Mrs. Billy Dean Newman, Sr., of McGregor on their 25th wedding anniversary.
- S.R. 138 By Edwards: Extending congratulations to Mr. and Mrs. S. R. Dailey of Buffalo on their 50th wedding anniversary.
- S.R. 139 By Edwards: Extending congratulations to Jennifer Lee Allen on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 140 By Edwards: Extending congratulations to Jolyn Kistner on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 141 By Green: Extending congratulations to Lynn N. Phelan on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 142 By Green: Extending congratulations to Sean Edward Shepard on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 143 By Green: Extending congratulations to Jaime Valdez on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 144 By Green: Extending congratulations to Mayra Reyes on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 145 By Green: Extending congratulations to Christi La Pointe on making the Dean's List at Sam Houston State University, College of Criminal Instice
- S.R. 146 By Green: Extending congratulations to C. Livingston II on making the Dean's List at Sam Houston State University, College of Criminal Justice.
- S.R. 148 By Johnson: Extending congratulations to Jo R. Campbell on being chosen "Citizen of the Year" by the Grand Prairie Chamber of Commerce.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:12 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

Sent to Governor (February 20, 1989)

S.C.R. 31

SIXTEENTH DAY

(Tuesday, February 21, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Our Heavenly Father, accept our thanks this morning for the promise of Your protecting care. Help each one to face life's changes with faith and self-confidence. Uphold us when we are struggling. Guide us when we are torn between what is desired and what is needed and sustain us always by Your presence. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHOR OF SENATE BILL 423

On motion of Senator McFarland and by unanimous consent, Senator Sims will be shown as Co-author of S.B. 423.

CO-AUTHORS OF SENATE BILL 29

On motion of Senator Barrientos and by unanimous consent, Senators Glasgow and Montford will be shown as Co-authors of S.B. 29.

REPORTS OF STANDING COMMITTEES

Senator Montford submitted the following report for the Committee on State Affairs:

S.B. 157 S.B. 112

Senator Henderson, Vice-chairman, submitted the following report for the Committee on Jurisprudence:

S.B. 188 (Amended) S.B. 71 C.S.S.B. 297 C.S.S.B. 171 C.S.S.B. 139

MESSAGE FROM THE HOUSE

House Chamber February 21, 1989

HONORABLE W. P. HOBBY PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 220, Relating to conforming the Local Government Code to certain Acts of the 70th Legislature, to nonsubstantively codifying in that code certain related statutes, and to making certain corrective and conforming amendments.

H.C.R. 28, Encouraging the State Board of Education to require that teacher inservice training include information on identifying and reporting child abuse.

Respectfully,

BETTY MURRAY, Chief Clerk House of Representatives

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas February 21, 1989

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE TEXAS DEPARTMENT OF COMMERCE, BOARD OF DIRECTORS, FOR A TERM TO EXPIRE FEBRUARY 1, 1995:

Mr. Ernesto Ancira, Jr. 9103 Autumn Lane San Antonio, Texas 78217

Mr. Ancira is being reappointed.

TO BE A MEMBER OF THE AIR CONDITIONING AND REFRIGERATION CONTRACTORS ADVISORY BOARD, FOR A TERM TO EXPIRE FEBRUARY 1, 1995:

Mr. Henry Caesar Brown, Jr. 2411 Geronimo Lane Rosenberg, Texas 77471

Mr. Brown is being reappointed.

TO BE A MEMBER OF THE ANTIQUITIES COMMITTEE, FOR A TERM TO EXPIRE JANUARY 31, 1991:

Dr. Thomas William Cutrer 8012 Cardin Drive Austin, Texas 78759

Dr. Cutrer is being reappointed.

TO BE A MEMBER OF THE TEXAS OPTOMETRY BOARD, FOR A TERM TO EXPIRE JANUARY 31, 1995:

Dr. Barry J. Davis 3101 Eugenia Groves, Texas 77619

Dr. Davis is being reappointed.

TO BE PUBLIC UTILITY COUNSEL,

FOR A TERM TO EXPIRE FEBRUARY 1, 1991:

Ms. Carol Kingsbery Ottmers #53 Oaks Place

Lago Vista, Texas 78645

Ms. Ottmers is being reappointed.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL, FOR A TERM TO EXPIRE SEPTEMBER 1, 1990:

William W. Tenison Route 1, Box 845 Big Sandy, Texas 75755

Mr. Tenison is being reappointed.

TO BE BRANCH PILOTS FOR THE PORTS OF GALVESTON COUNTY, FOR TERMS TO EXPIRE JANUARY 31, 1993:

Captain Nathan R. Branch

992 Bonita

Hitchcock, Texas 77568

Captain Branch is being reappointed.

Captain James Robert Borup

3302 Lazy Lane

La Marque, Texas 77568

Captain Borup is being reappointed.

Respectfully submitted,

/s/W. P. Clements, Jr. William P. Clements, Jr. Governor of Texas

GUEST PRESENTED

Senator Armbrister was recognized and presented Dr. F. L. Merian of Yoakum.

Dr. Merian, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 595 by Brooks
Relating to the regulation of persons licensed

Health and Human Services

Relating to the regulation of persons licensed or certified by the State Board of Examiners of Psychologists.

S.B. 596 by Barrientos

State Affairs

Relating to the sale by the Texas Department of Public Safety of certain real property in Travis County.

S.B. 597 by Barrientos

State Affairs

Relating to the sale by the Texas Department of Public Safety to the city of Austin of certain real property in Travis County.

S.B. 598 by Barrientos, Edwards, Truan

Education

Relating to student peer assistance and leadership.

S.B. 599 by Lyon

Natural Resources

Relating to venue and proof requirements in certain enforcement proceedings under the Parks and Wildlife Code.

S.B. 600 by Lyon

State Affairs

Relating to the authority of a public utility to self-insure against certain losses and to the consideration of those costs in determining rates.

S.B. 601 by Lyon

Education

Relating to a study to determine the feasibility of state funding for research on the drug prolastin.

S.B. 602 by Lyon

Jurisprudence

Relating to the necessity of an applicant's bond for a receivership lease agreement.

S.B. 603 by Leedom Intergovernmental Relations Relating to the compensation, benefits, and working conditions of members of fire and police departments in certain municipalities.

S.B. 604 by Green Intergovernmental Relations Relating to reserve law enforcement officers and public security officers.

S.B. 605 by Green Jurisprudence Relating to the recording of a certified copy of a judgment instead of an abstract of judgment in certain circumstances.

S.B. 606 by Green Economic Development Relating to certain health insurance benefits for diagnostic, treatment, and surgical procedures involving bones and joints of the human body.

S.B. 607 by Harris Economic Development Relating to the structure of the finance commission.

S.B. 608 by Harris Economic Development Relating to the incorporation, organization, operation, reorganization, and dissolution of certain corporations, real estate investment trusts, professional corporations, and professional associations.

S.B. 609 by Armbrister

Relating to the possession of certain fishing devices in or on public water.

S.B. 610 by Armbrister
Relating to the establishment of municipal drainage utilities.

Natural Resources

S.B. 611 by Armbrister

Criminal Justice
Relating to the offense of unlawful possession of a firearm by a felon.

S.B. 612 by Armbrister State Affairs Relating to a requirement that economic impact statements prepared by the comptroller accompany certain proposed state agency rules.

S.B. 613 by Armbrister State Affairs Relating to the medical condition of applicants for issuance or renewal of a driver's license.

S.B. 614 by Armbrister Intergovernmental Relations Relating to the repeal of the law granting police power to a sexton, superintendent, or other person in charge of a cemetery.

S.B. 615 by Harris Economic Development Relating to the authority of the Texas Employers' Insurance Association to become a mutual insurance company.

S.C.R. 49 by Zaffirini Education Establishing a joint select committee to develop a timetable and recommendation for the development and establishment of a four-year college at Laredo State University by the year 1998.

S.R. 159 by Armbrister Health and Human Services Urging support of the pilot program for adult day care centers for Texas.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 14 H.C.R. 21 H.C.R. 51 H.C.R. 70

SENATE RESOLUTION 147

Senator Caperton offered the following resolution:

S.R. 147, Expressing gratitude and appreciation to the research faculty and staff of the Texas Engineering Experiment Station for exemplary service to the citizens and businesses of the State of Texas for the past 75 years and for their ongoing efforts to assist the economic diversification of the State.

The resolution was read and was adopted viva voce vote.

GUEST PRESENTED

Senator Caperton introduced to the Senate Dr. Herb Richardson, Dean of the Engineering Department, Texas A&M University.

Dr. Richardson was welcomed by the Senate.

SENATE RESOLUTION 155

Senator Brown offered the following resolution:

S.R. 155, Honoring Chris A. Christian for his unselfish commitment to the mentally retarded, especially in the Brazosport area.

The resolution was read and was adopted viva voce vote.

GUESTS PRESENTED

Upon recognition, Senator Brown introduced Mr. Christian, his wife, Lelia, and their son, Sandy. Also introduced, seated in the Senate Gallery with Mrs. Christian and Sandy, was Barry Hill.

Senator Brown escorted Mr. Christian to the President's Rostrum, where an enrolled copy of S.R. 155 was presented to him by the President.

The Senate extended a warm welcome to these guests.

SENATE BILLS REREFERRED

On motion of Senator Harris and by unanimous consent, the following bills were withdrawn from the Committee on Jurisprudence and rereferred to the Committee on Economic Development:

S.B. 551 S.B. 578

HOUSE CONCURRENT RESOLUTION 20 ON SECOND READING

On motion of Senator Edwards and by unanimous consent, the regular order of business, Senate Rule 5.14(a), Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to consider at this time on its second reading:

H.C.R. 20, Authorizing the YMCA to use the House and Senate chambers for its Youth and Government Program.

The resolution was read second time and was adopted viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 29 ON SECOND READING

On motion of Senator Barrientos and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 29, Relating to chemical precursor and chemical laboratory apparatus record-keeping, reporting, and transfer requirements and penalties; to chemical precursor and chemical laboratory apparatus transfer permits; and to the creation of the offenses of unlawful transfer or receipt of a chemical precursor or chemical laboratory apparatus.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 29 ON THIRD READING

Senator Barrientos moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 63 ON SECOND READING

On motion of Senator Lyon and by unanimous consent, the regular order of business. Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 63, Relating to signal lamps on emergency vehicles used by volunteer fire fighters.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 63 ON THIRD READING

Senator Lyon moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 63 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 66 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business. Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 66, Relating to the assignment of visiting judges.

The bill was read second time.

Senator Whitmire offered the following amendment to the bill:

Amend S.B. 66 on page 1, lines 49 and 64, by striking "benefits,".

The amendment was read and was adopted viva voce vote.

On motion of Senator Whitmire and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 66 ON THIRD READING

Senator Whitmire moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 66 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 229 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 229, Relating to assignment pay for certain police personnel in municipalities with a population of 1.2 million or more.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 229 ON THIRD READING

Senator Whitmire moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 229 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 143 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 143, Relating to certain records maintained by a notary public.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 143 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Navs 0.

SENATE BILL 307 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 307, Relating to the time in which certain suits to void a marriage may be brought and to clarifications and technical corrections concerning the marriage relationship, the parent-child relationship, and suits affecting the parent-child relationship.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 307 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 307 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 308 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 308, Relating to habeas corpus proceedings involving the right to possession of a child.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 308 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 308 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 24 ON THIRD READING

On motion of Senator Washington and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its third reading and final passage:

C.S.S.B. 24, Relating to the authority of certain counties to engage in community and economic development programs.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 187 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 187, Relating to payment of benefits by a public retirement system pursuant to a qualified domestic relations order and to the requirement of spousal consent for the selection of certain retirement options.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 187 ON THIRD READING

Senator Brown moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 187 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 144 ON SECOND READING

On motion of Senator Green and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 144, Relating to the benefits and compensation of peace officers in specialized police divisions in certain municipalities.

The bill was read second time and was passed to engrossment viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 144 ON THIRD READING

Senator Green moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

MOTION TO RECESS AND ADJOURN

On motion of Senator Brooks and by unanimous consent, the Senate agreed to recess at the conclusion of today's session until 11:00 a.m. tomorrow and, upon conclusion of the Joint Session, adjourn until 11:00 a.m., Thursday, February 23, 1989.

The Senate further agreed to convene at that time in the Hall of the House of Representatives for the Joint Session as provided for by S.C.R. 4.

ESCORT COMMITTEE APPOINTED

In accordance with the provisions of S.C.R. 4, the President announced the appointment of the following as a Committee to Escort Dr. Winfred Godwin to the Joint Session tomorrow: Senators Parker, Truan, Krier, Johnson and Barrientos.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Parker and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider S.C.R. 49 at 8:30 a.m. tomorrow.

CONGRATULATORY RESOLUTIONS

- S.R. 149 By Caperton: Extending congratulations to the Reverend Oscar H. Horn of Sealy on celebrating 50 years in the parish ministry.
- S.R. 150 By Caperton: Extending congratulations to Mrs. Mary Elizabeth Nutt Rutledge of El Campo on her 100th birthday.
- S.R. 151 By Caperton: Extending congratulations to Mrs. Erna Ueckert of Bellville on her 100th birthday.
- S.R. 152 By Caperton: Extending congratulations to Charles Jenkins of Bryan on his retirement from the Texas Department of Human Services.
- S.R. 153 By Sims: Extending congratulations to Marc Robert Douglass on achieving the rank of Eagle Scout.
- S.R. 154 By Sims: Extending congratulations to Kirk Dale Gunderson on achieving the rank of Eagle Scout.
- S.R. 156 By Green: Extending congratulations to Mr. and Mrs. Leon Elroy Albers of Houston on their 50th wedding anniversary.
- S.R. 157 By Green: Extending congratulations to Mrs. Sylvia Ayres on her 70th birthday.
- S.R. 158 By Dickson: Extending congratulations to R. D. Pietzsch of Roscoe on his retirement from the United States Postal Service after more than 30 years of service.
- S.R. 161 By Johnson: Extending congratulations to Mrs. Pauline Dixon on being honored on February 26, 1989, as Kappa Zeta's Woman of the Year for 1989.

RECESS

On motion of Senator Brooks, the Senate at 11:54 a.m. took recess until 11:00 a.m. tomorrow.

APPENDIX

Signed by Governor (February 20, 1989)

H.C.R. 65 H.C.R. 75 S.C.R. 7 S.C.R. 29 S.C.R. 34

SIXTEENTH DAY

(Continued) (Wednesday, February 22, 1989)

AFTER RECESS JOINT SESSION

(To hear address of Dr. Winfred Godwin, President of the Southern Regional Education Board)

The Members of the Senate convened at 11:00 a.m. in the Hall of the House of Representatives to hear the address of Dr. Winfred Godwin, President of the Southern Regional Education Board, pursuant to the provisions of S.C.R. 4.

The Senators, accompanied by the Secretary of the Senate and the Sergeant-at-Arms, were announced and were admitted and escorted to seats prepared for them along the aisle.

Dr. Godwin was announced and was escorted to the Speaker's Rostrum by Senators Parker, Truan, Krier, Johnson and Barrientos on the part of the Senate and Representatives Glossbrenner, Berlanga, Colbert, Delco, Dutton, Edge, Hammond, Holzheauser, Horn, Larry, Luna of Bexar, Rangel, Schoolcraft and Watkins on the part of the House.

Senator Parker, Chairman of the Senate Education Committee, called the Senate to order and announced a quorum of the Senate present.

The Honorable Gib Lewis, Speaker of the House of Representatives, called the House to order, announced a quorum of the House present and stated the purpose of the Joint Session.

Speaker Lewis introduced Senator Parker, who introduced Mark D. Musick, Vice-president and Director of State Services and Information for the Southern Regional Education Board.

Upon his introduction by Senator Parker, Dr. Godwin addressed the Joint Session.

ADJOURNMENT

Senator Parker announced the purpose of the Joint Session had been accomplished and declared the Senate at 11:23 a.m. adjourned until 11:00 a.m. tomorrow in accordance with a motion previously adopted by the Senate.